



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: John F. KOKAI-KUN *et al.*

Confirmation No.: 1338

Application No: 10/724,194

Group Art Unit: 1645

Filing Date: December 1, 2003

Examiner: Virginia Allen Portner

For: WALL TEICHOIC ACID AS A TARGET  
FOR ANTI-STAPHYLOCOCCAL  
THERAPIES AND VACCINES

Attorney Docket No.: 103901-6100

**SECOND INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Pursuant to Applicant's duty of disclosure under 37 C.F.R. § 1.56, enclosed is a Form PTO-1449 listing ten (10) references for the Examiner's review. Copies of non-U.S. patent references numbered B1-B2 and C1-C4 are enclosed, together with the International Search Report, dated January 25, 2005, in which they were cited. Copies of references A1-A4 will be provided if the Examiner so requests.

It is respectfully requested that the references be made of record in this application by the Examiner's completion and return of the attached Form PTO-1449.

This Second Information Disclosure Statement ("IDS") is being filed under 37 C.F.R. § 1.97(b)(3), prior to the mailing of a first Office Action on the merits. In the event the first Office Action has been mailed, please consider this to be filed under 37 C.F.R. § 1.97(c). Applicant hereby certifies under 37 C.F.R. § 1.97(e)(1) that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

Accordingly, in either case, no fee is believed to be due. However, should any fees be required, please charge such fee to Winston & Strawn LLP Deposit Account No. 50-1814.

Respectfully submitted,

March 1, 2005

Date

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202-371-5904

<b>LIST OF REFERENCES CITED BY APPLICANT</b> <b>Form PTO-1449</b> <i>(Use several sheets if necessary)</i>		ATTY. DOCKET NO.:	APPLICATION NO.:
		103901-6100	10/724,194
Sheet 1 of 1		APPLICANT:	
		John F. KOKAI-KUN et al.	
		FILING DATE:	GROUP:
		December 1, 2003	1645

### U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	CITE NO.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A1	2002/0006406	01/2002	Goldstein et al.			
	A2	6,365,156 B1	04/2002	Lee			
	A3	2002/0051793	05/2002	Drabick			
	A4	2002/0082395	06/2002	Fischer et al.			

### FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	B1	EP 0732936 B1	03/2000	European Patent Office				
	B2	WO 00/51588 A1	09/2000	WIPO				

### OTHER REFERENCES *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	C1	Kiser, K.B. et al., "Staphylococcus aureus cap5P encodes a UDP-N-acetylglucosamine 2-Epimerase with functional redundancy," <i>J. Bacteriol.</i> , Vol. 181, No. 16, pp. 4818-4824 (1999).
	C2	Matsuura, T. et al., "Isolation and characterization of Teichoic acid like substance as an adhesion of Staphylococcus aureus to HeLa-cells, <i>Microbiology and Immunology</i> , Vol. 40, No. 4, pp. 247-254 (1996).
	C3	O'Brien, M.J. et al., "Correlation of teichoic acid D-alanyl esterification with the expression of methicillin resistance in Staphylococcus aureus," <i>Microbios</i> , Vol. 83, No. 335, pp. 119-137 (1995).
	C4	Sears, P.M., "Immunological studies of in vitro and in vivo cellular responses to Staphylococcal antigens in cattle," <i>The Ohio State University Dissertation Abstracts International</i> , Vol. 41, No. 04-B, 166 pages (abstract on p. 128) (1980).

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	